

REMARKS

Applicants have now had an opportunity to carefully consider the Examiner's comments set forth in the Office Action of June 1, 2005 and during a teleconference on October 19, 2005.

Reconsideration of the Application is requested.

The Office Action

Claims 1-27 were presented for examination. Applicants gratefully acknowledge the Examiner's indication as to the allowance of claims 14-25 and 27.

Claims 2 and 4 were noted to contain allowable subject matter.

Claims 1, 3, 5-13 and 26 stand rejected.

The Remaining Claims are Distinguished from the Cited Art

Dependent claim 4 was noted to contain allowable subject matter. This claim has been amended to include the limitations of claim 1 as required. For at least these reasons, claim 4 is now distinguished from the cited art.

Dependent claim 2 was also noted to contain allowable subject matter. This claim has been amended to incorporate the language of independent claim 1 as required. It is therefore also submitted for at least this reason new independent claim 2 is also distinguished from the cited art.

Claims 3, 5-13 and 26 been canceled.

As previously noted, claims 14-25 and 27 are allowed.

It is submitted the above amendments do not require further consideration.

Applicant acknowledges with appreciation a telephone conversation with the Examiner on October 19, 2005 regarding dependent claims 3 and 5-13. It was Applicants position that these claims should be allowable. Due to dependency of claim 1 in the First Amendment After Final. The Examiner disagreed, stating a review of the dependent claims would require consideration which he was not required to undertake. Therefore, while Applicants respectfully disagree with the Examiner's position, to move the prosecution forward, Applicants have canceled the claims in question.

Acknowledgment of the 4th Supplemental Information Disclosure Statement

Applicants note on July 18, 2005 a 4th Supplemental Information Disclosure Statement was submitted (attached for the Examiner's convenience). However, the Examiner has not yet acknowledged receipt of this document. Applicants request acknowledgment of this document.

CONCLUSION

For the reasons detailed above, it is submitted all claims remaining in the application (Claims 2, 4, 14-25 and 27) are now in condition for allowance. An early notice to that effect is therefore earnestly solicited.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to call Mark S. Svat, at Telephone Number (216) 861-5582.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP

10/19/05
Date



Mark S. Svat
Reg. No. 34,261
1100 Superior Avenue, 7th Floor
Cleveland, Ohio 44114-2579
(216) 861-5582